



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

NOV 21 2008

Mr. Duane A. Smith  
Executive Director  
Oklahoma Water Resources Board  
3800 North Classen Blvd.  
Oklahoma City, OK 73118

Dear Mr. Smith:

Through this letter and enclosure, the U.S. Environmental Protection Agency (EPA) is notifying you of the results of its completed review of the Oklahoma Water Quality Standards (OWQS, OAC Title 785, Chapter 45) revisions, received August 25, 2008. These revisions to the standards were adopted in final form by the Oklahoma Water Resources Board (OWRB) on February 14, 2007, were certified by the Oklahoma Attorney General on June 12, 2008, and became effective as State law on July 1, 2008. EPA considers the adoption of the revisions to the State's standards by the OWRB, along with the public review and comment process, to be consistent with and satisfy the procedural requirements of 40 CFR §131.20.

On October 22, 2008, EPA approved the majority of the new and revised elements of the submitted standards pursuant to Section 303(c) of the Clean Water Act (CWA) and the implementing regulations at 40 CFR Part 131. However, the approval action did not include the City of Poteau site-specific metals criteria, the Nine Mile Creek site-specific minerals criteria and the livestock agriculture subcategory TDS criterion. After further review of the provisions, EPA is disapproving the City of Poteau site-specific metals criteria and the livestock agriculture subcategory TDS criterion. We are unable to take an action on the Nine Mile Creek site-specific minerals criteria because the submission did not meet the minimum requirements described in 40 CFR §131.6, further information is needed for EPA to evaluate the proposed criteria. Further explanation of EPA's rationale is enclosed in the record of decision.

I would like to commend the Oklahoma Water Resources Board for its commitment and hard work in completing this task of reviewing and revising the State's water quality standards. I look forward to working with you during the next review. If you have any questions or concerns, please contact me at (214) 665-7101, or have your staff contact Renee Bellew at (214) 665-2793.

Sincerely,

A handwritten signature in black ink, which appears to read "Miguel I. Flores".

Miguel I. Flores  
Director  
Water Quality Protection Division

Enclosure

cc: Derek Smithee, OWRB  
Jon Craig, ODEQ  
Ken Collins, U.S. Fish and Wildlife Service